

REMARKS/ARGUMENTS

This communication is responsive to the final Office Action dated April 13, 2009.

The applicant notes with appreciation the indication in the Office Action that the §112 rejections have been withdrawn, and further appreciates the reconsideration and withdrawal of the §101 rejections.

Substantively, the present Office Action maintains the prior rejection of claims 36-70 over the combined teachings of Wu (2003/0200455) and Barber et al. (7,382,756). Reconsideration is requested.

The Office Action acknowledges that Wu fails to explicitly recite “specific identifier that is different in each wireless base station” and “specific identifier to be included in a wireless frame.” Nonetheless, the Office Action contends that Barber discloses the aforementioned features in column 17, lines 21-30 thereof, wherein Barber discloses an access point transmitting a broadcast frame and using a BSSID (Basic Service Set Identifier) which is typically the MAC address of the access point.

As noted in the introductory pages of the present specification, including the paragraph beginning at page 3, line 12, the use of the Service Set ID (SSID) of the wireless LAN system is problematic because that value constantly changes and an interloper, i.e., a so-called unjust AP, may falsely state that the SSID thereof is an already-registered one. The instant specification at the paragraph beginning at page 19, line 5, provides a solution that avoids that problem. The solution is described at pages 19-21 (paragraph [0045] and [0046]) which teaches to use and detect a BSS identifier in the “frame transmission source.” It is evident from the instant specification that a mere use of an SSID, WEP and the pre-registered MAC address parameters is inadequate to solve the problem identified by the instant inventors.

Respectfully, Barber does not provide the missing teachings at column 17, lines 21-30 thereof. As previously noted, the actual text in the Barber reference reads: “The access point typically transmits broadcast frames and a unicast frames using a BSSID (typically, the MAC address of the access point’s radio) that the client understands is the BSSID for the access point with which the client is associated.”

The foregoing text refers to the conventional protocol and does not disclose the inclusion of a “specific identifier to be included in a wireless frame”. In fact, the text at column 17 of this

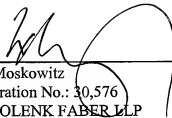
reference beginning at line 31 rejects the conventional mode and teaches the use of first encryption key and states that: "... clients that are part of a second network would have a second encryption key used for broadcast frames and other frames." Therefore, while Barber actually recognizes (at column 3, line 63 et seq.): "Another difficulty of wireless network is that of not necessarily authorized users in the authorized space.", this reference in fact does not employ the solution of the present invention and suggests instead the use of encryption keys.

Therefore, for the reasons stated herein and those previously submitted, the applicant respectfully submits that the claims effectively distinguish over the prior art and merit to be allowed.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING
SYSTEM ON August 5, 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Max Moskowitz', is written over a horizontal line.

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